

ORIGINAL

FILED

05 FEB 24 PM 1:04

NORTHERN DISTRICT OF OHIO  
TOLEDO

\*\*\*\*\*  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION  
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Cooper Tire & Rubber Company

Plaintiff

vs.

Jason M. Shinn

Defendant.

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3:05 CV 7063

Case No.

JUDGE

JUDGE DAVID A. KATZ

MOTION TO SEAL RECORD

\*\*\*\*\*  
Now comes plaintiff Cooper Tire & Rubber Company, pursuant to LR 5.2, and moves the Court for an order sealing the entire record of this case, including but not limited to the Complaint, the Motion for Temporary Restraining Order and Preliminary Injunction and Memorandum in Support, the Affidavits of Joseph P. Thacker, William M. Connelly, and James E. Kline, this motion and all other documents filed herewith, and all other material generated for this case. For cause, plaintiff refers the Court to the Complaint, the Affidavits, and Motion for Temporary Restraining Order and Preliminary Injunction and Memorandum in Support, and further states that the subject matter of this lawsuit deals with the threatened release of highly confidential and sensitive attorney/client privileged materials and "secrets" and "confidences" as those terms are defined by DR 4-101 of the Code of Professional

Responsibility. Disclosure of the existence of this case and the averments in the Complaint would be highly prejudicial to plaintiff, may itself lead to the release of attorney/client materials and "secrets" and "confidences", and may lead others to attempt to procure release of plaintiff's attorney/client materials. Defendant will suffer no prejudice as a result of sealing the record in this case.

By 

William M. Connelly (0031154)

Steven R. Smith (0031778)

Tammy G. Lavalette (0071533)

CONNELLY, JACKSON & COLLIER LLP

405 Madison Avenue, Suite 1600

Toledo, Ohio 43604

Telephone: (419) 243-2100

Facsimile: (419) 243-7119

[wconnell@cic-law.com](mailto:wconnell@cic-law.com)

[ssmith@cic-law.com](mailto:ssmith@cic-law.com)

[tlavalette@cic-law.com](mailto:tlavalette@cic-law.com)

Counsel for Plaintiff

Cooper Tire & Rubber Company

### **CERTIFICATION**

This is to certify that a copy of the foregoing has been sent this 24<sup>th</sup> day of February, 2005 via fax to John J. McHugh, III, Esq., McHugh, DeNune & McCarthy, Ltd., 5580 Monroe Street, Sylvania, Ohio 43604, fax (419) 885-3661, Counsel for Defendant.

  
Counsel for Plaintiff

Cooper Tire & Rubber Company